

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRENDA P. WILLIAMS	:	CIVIL ACTION
	:	
v.	:	
	:	
ORIX FINANCIAL SERVICES, INC.;	:	
ORIX CREDIT ALLIANCE, INC.;	:	
LIBERTY KENWORTH HINO-TRUCK	:	
SALES, INC.; and LOUIS SMOLLEY	:	NO. 06-02431-JF

MEMORANDUM AND ORDER

Fullam, Sr. J.

July 18, 2006

Plaintiff, Brenda P. Williams, allegedly purchased a used truck from the defendant Liberty Kenworth Hino-Truck Sales, Inc., and financed the purchase through the defendant finance companies. That transaction occurred in Pennsylvania. Plaintiff contends that the defendants violated her legal rights in various ways, including charging usurious interest, violating various provisions of the Motor Vehicle Finance law and the Federal Debt Collections statute. On June 8, 2006, plaintiff filed this action seeking to vindicate her rights.

It seems that the defendant finance company, represented by the defendant attorney, had earlier filed suit against plaintiff in a state court in New York. A default judgment was entered, but was later set aside on plaintiff's application. Acting *pro se*, plaintiff removed the New York State action to the United States District Court for the Southern

District of New York. Her opponents have filed a motion to remand, which remains pending.

In the meantime, having filed the present action in this court, plaintiff's counsel has filed a remarkable motion seeking an order from this court transferring the New York litigation to this court. Although filed in the present litigation, the motion bears a caption in which the parties are listed as they are listed in the New York litigation, but with the name of the court and the docket number those of the present action.

A moment's reflection should have convinced plaintiff's counsel that her motion is totally lacking in merit. This court simply does not have the legal authority to make rulings in cases pending in other courts. If the New York action is to be transferred to this District, only the New York court can so require.

An Order follows.

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ORDER

AND NOW, this 18th day of July 2006, upon consideration of plaintiff's "Motion to Transfer an Action Pending in the Southern District of New York Pursuant to 28 U.S.C. § 1404(a)," IT IS ORDERED:

That the motion is DENIED.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.